

3-04069TED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

No.	EDCV 24-00952-SSS (AS)	Date	February 3, 2025
Title	<i>Marquice Bruce v. Twin Towers County Facility</i>		

Present: The Honorable	Alka Sagar, United States Magistrate Judge
Alma Felix	Not reported
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendants:
Not present	Not present
Proceedings (In Chambers):	ORDER TO SHOW CAUSE RE LACK OF PROSECUTION

On December 20, 2024, the Court issued an Order granting Plaintiff's request to amend his second amended complaint and directing Plaintiff to file a Third Amended Complaint if he wished to pursue this case. (Dkt. No. 32). Plaintiff was ordered to file a Third Amended Complaint "no later than 30 days from the date of [the Court's] Order." (*Id. at 3*). Since the Order was issued on December 20, 2024, Plaintiff was required to file a Third Amended Complaint no later than January 21, 2025¹. Plaintiff was "explicitly cautioned that failure to timely file a Third Amended Complaint, . . . may result in a recommendation that this action, or portions thereof, be dismissed with prejudice for failure to prosecute and/or failure to comply with court orders. *Id.*, at 4.

On January 2, 2025, the Court's December 20, 2024, Order was returned to the Court as undeliverable. (Dkt. No. 33). On January 16, 2025, the Court issued an order directing Plaintiff to provide the Court with his current address within 10 (ten) days. Plaintiff has failed to do so.

To date, Plaintiff has failed to file a Third Amended Complaint, seek an extension of time to do so, or otherwise communicate with the Court. Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE, in writing, no later than February 24, 2025**, why this action should not be dismissed with prejudice for failure to prosecute. This Order will be discharged upon the filing of a Third Amended Complaint that complies with the December 20, 2024, Order granting Plaintiff's request to file an amended complaint (Dkt. No. 32), a copy of which is attached to this Order, or upon the filing of a declaration under penalty of perjury stating why Plaintiff is unable to file a Third Amended Complaint.

¹ January 20, 2025 was a holiday so Plaintiff's Third Amended Complaint was due the following day, January 21, 2025.

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If Plaintiff no longer wishes to pursue this action, he may request a voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1). A notice of dismissal form is attached for Plaintiff's convenience.

Plaintiff is warned that a failure to timely respond to this Order **will** result in a recommendation that this action be dismissed with prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute and obey court orders.

IT IS SO ORDERED.

cc: Sunshine Suzanne Sykes
United States District Judge

____ : ____ 00

Initials of
Preparer
